

Philip H. Stillman, Esq. SBN# 152861  
STILLMAN & ASSOCIATES  
3015 North Bay Road, Suite B  
Miami Beach, Florida 33140  
Tel. and Fax: (888) 235-4279  
pstillman@stillmanassociates.com

Attorneys for Defendants KSSF ENTERPRISES LTD. and  
W HOTEL MANAGEMENT, INC.

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA**

Case No. 3:20-cv-08535-LB

SAMUEL LOVE,

Plaintiff,

v.

KSSF ENTERPRISES LTD., a California  
Corporation, and W. HOTEL  
MANAGEMENT, INC., a California  
Corporation;

Defendants.

**NOTICE OF MOTION AND MOTION  
TO DISMISS FIRST AMENDED  
COMPLAINT**

Date: March 18, 2021  
Time: 9:30 a.m.  
Court: B - 15<sup>th</sup> Fl.  
San Francisco Courthouse

Hon. Laurel Beeler

1 **TO PLAINTIFF AND HIS ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE THAT on March 18, 2021, or as soon thereafter as the  
3 matter may be heard in Courtroom B of the above-entitled court, Defendants KSSF  
4 ENTERPRISES LTD. and W HOTEL MANAGEMENT, INC. will and hereby do move to  
5 dismiss the Complaint in its entirety, pursuant to Fed. R. Civ. P. 12(b)(6). All of the  
6 asserted claims arise from Plaintiff's visit to the Defendants' reservations website (the  
7 "Website"), and Plaintiff's claim that the Website fails to provide sufficient information  
8 about the accessible features in the accessible guestrooms in violation of the Americans  
9 with Disabilities Act and California's Unruh Civil Rights Act. The Complaint lacks  
10 sufficient factual allegations under applicable pleading standards to establish a plausible  
11 entitlement to relief with respect to any of the claims asserted.

12 This motion is based on this Notice and the accompanying Memorandum of Points  
13 and Authorities, Request for Judicial Notice, all pleadings and documents on file herein,  
14 and on such other and further evidence as may be presented at or before the hearing on  
15 this matter.

16 This motion is made following the conference of counsel which took place on  
17 December 4, 2020.

18 WHEREFORE, Defendants KSSF ENTERPRISES LTD. and W. HOTEL  
19 MANAGEMENT, INC. respectfully requests that this Court dismiss the Complaint with  
20 prejudice and without leave to amend.

21 Respectfully Submitted,

22 STILLMAN & ASSOCIATES

23 

24 Dated: February 2, 2021

25 By: Philip H. Stillman, Esq.  
26 Attorneys for Defendants  
27 KSSF ENTERPRISES LTD. and  
28 W. HOTEL MANAGEMENT, INC.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

By: /s/ Philip H. Stillman  
Attorneys for KSSF ENTERPRISES LTD. and  
W. HOTEL MANAGEMENT, INC